

O'Hanly, John L. P.
A record and
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Revised from the Ottawa Daily Free Press, Saturday, July 8th, 1899.

A RESUME AND SUGGESTION.

By J. L. P. O' Hanly.

OTTAWA :
C. W. MITCHELL, PRINTER, ELGIN STREET.

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A RESUME

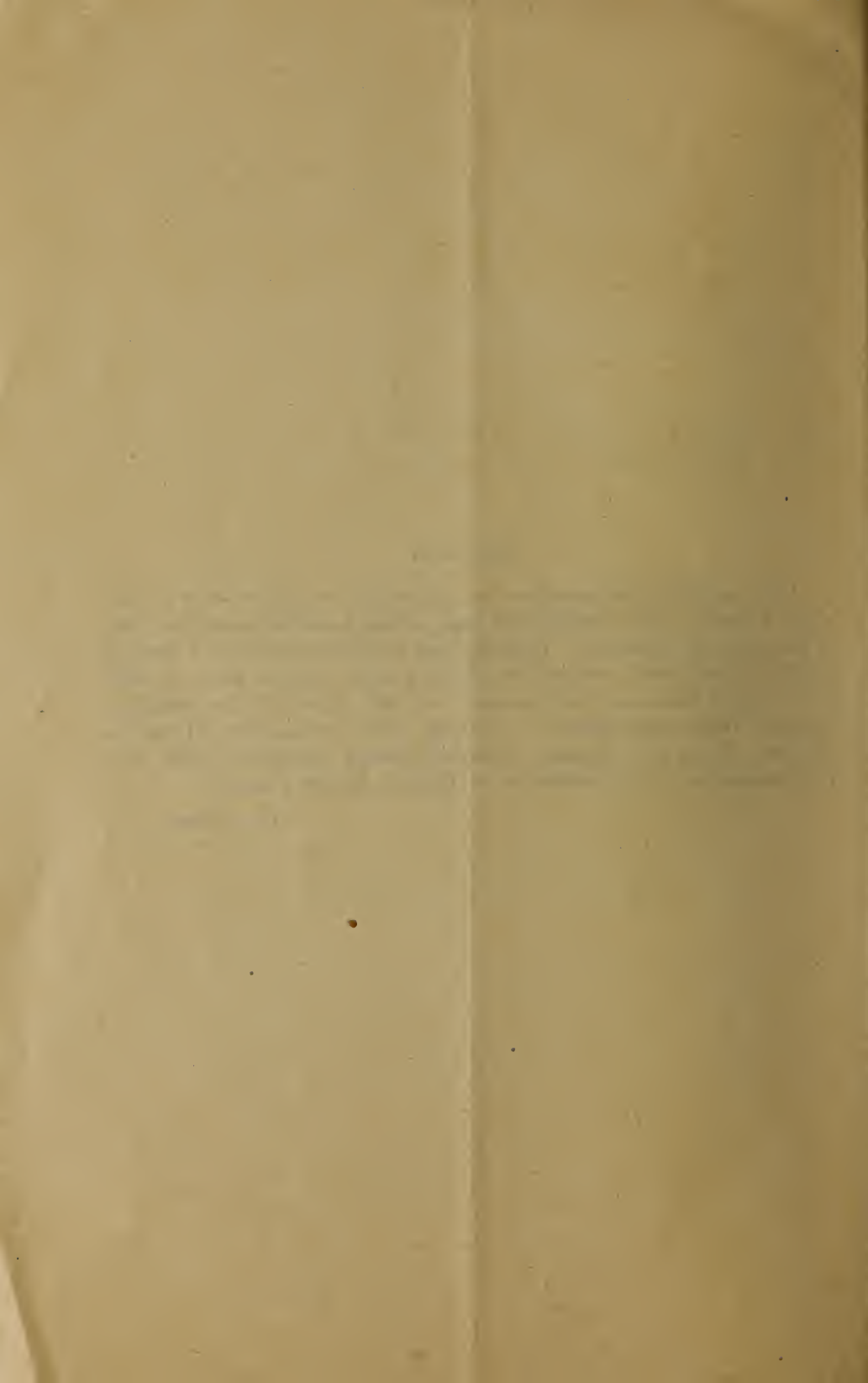
SUGGESTION.

W. H. B. 1874

PREFACE.

The subjoined communication was submitted for publication in the first week of March. The intention had been to have it inserted about the time of meeting of the legislature. The object was to invite discussion on reforms of popular representation—the time for holding general elections fixed—the date for meeting of parliament fixed—vacancies in both branches of the legislature promptly filled—appointment of returning officers—suppression of bribery at elections—reform of the Senate. Unluckily business exigencies clashed with this arrangement, and its publication has been unavoidably delayed.

THE AUTHOR.



A RESUME AND SUGGESTION.

Editor Free Press :—The *raison d'être* of a Liberal government is to be found in the reform of abuses in the body politic with the least possible delay. If this be not its mission, then is it a fraud, a fungus, an excrescence, an abortion, to be extirpated.

Nothing to Reform, Eh !

Is there naught to reform ? Has Tory rule in the past been so beneficent as to have left to its fortunate successors nothing to reform, naught to redress ? If this could be answered in the affirmative, then is "Tory" rule the best, the most perfect the world has ever witnessed. If such be its record, what can be thought of those who have characterized it as corrupt, extravagant, scandalous, perfidious ? Their rightful place would be in the first rank of moral assassins, in the van of public traitors, enemies of the people, of order, of progress, of good government. Can it truthfully be affirmed that the Conservative government bequeathed to its successors a clean slate, with nothing to do but picnic ? Assuredly not. For my part I believe every count in the Liberal indictment, and if erring at all, it errs on the side of mercy. Did I believe that the Conservative administration was the friend and patron of good government, it would always have commanded my support and confidence. The party which gave, and next best, the party which promised, good government, has ever been my party, regardless of names or shiboleths. I have been an opponent of the Conservative party from a conviction, rightly or wrongly formed, that the principles and policy of the Conservative government have been inimical to the best interests of the country,

and the welfare of the people. I believe that not only did they leave untouched a wide field for improvement, but that every day of their tenure added fresh thorns and thistles to the small patch cleared and cultivated. My earnest wish is that this government will live up to the orthodox standard of democratic principles. This would doubly please me, for it would be a complete vindication of my life's aim and the maxims which it inculcated, while recreancy would inevitably break into "smithereens" all my idols.

Modern Reformers.

The Irish are pre-eminently the great reformers of modern times. Individually and collectively they make more sacrifices at the shrine of reform than any other people. The abnormal growth of this striking virtue is an accident of the Irish situation. The wretched system which has been imposed upon that people by the relentless law of might, and which is only susceptible of one kind of reformation—tearing it up root and branch—has inherently and intuitively built up a race of reformers wherever on the face of the globe their lot is cast. This national characteristic is well emphasized and aptly illustrated in the familiar expression, "Pat is agin' the government anyhow," governments being credited with moving too slowly for "Pat's" sanguine nature. All their literature tends in this direction. It is a cardinal doctrine, a fundamental principle, in their political and economic ethics—to ignore self, to put the public good before all earthly considerations.

An Apt Illustration.

I myself am a living witness of its truth, a living example of its strength.

Since my debut, nearly 45 years ago, on the stormy waves of politics, I have spent 40 in opposition, in voluntary exile, in the desert, while every personal, selfish interest whispered, "Jump on," "Embarque," Sir Sandford Fleming, no mean authority, holds fast to the doctrine that an engineer should not touch politics with a forty foot pole. No doubt, in a wordly sense, he is right. Either that or "run with the hare and hunt with the hounds." In all these long years I have lived in a locality where Sir John MacDonald truly said, "A Grit could not be elected pound-keeper in Ottawa." Ottawa had long been a temple and shrine dedicated to the patron goddess of Toryism. None could enter without cleansing and absolution, evermore renouncing and denouncing Liberal heresies. If St. Paul, or an angel, aye Christ Himself, came again on earth, and made Ottawa headquarters, should he develop any Liberal leanings, he would not only be unpopular, but slandered, maligned, aye—crucified. Rather than forego my convictions I have been resigned to submit to poverty. Yes, I have been resigned to submit to what is infinitely more galling to a proud and sensitive nature—malicious abuse, slander, calumny, wilful villification, deliberate misrepresentation. But throughout the whole unenviable ordeal I have held an erect head, an eye flashing contempt on my traducers, as became a man of high ideals.

A Band of Moral Assassins.

There is today in this town a band of moral assassins, who make it their special mission to go round button-holing strangers, warning them to beware of that "disreputable fellow, O'Hanly, to whom no respectable person would be seen talking." They have been particularly active in plying their vile trade since the advent to power of the "Grits." They realize that a man of my integrity, a man of my ability, standing in the very front rank of the civil engineering profession in British North America, a man of my disinterestedness, a man of my fidelity, under circumstances the most trying and tempting

which have ever conspired to lure and alienate a human being from his political allegiance, should have some say in the councils of a party he has done so much to build up. They hope by such disreputable tactics to frustrate a just recognition of such sacrifices and eminent services. They know that I am too proud to crawl, fawn or flatter, or stoop to the methods of the time-servers. They know that the man has yet to be born after whom I would run. Never having been a persona grata in the Tory wigwam, they could, with Conservatives in, rest on their oars. Yet these vile creatures would be highly honored in being permitted to "shine my boots."

The late Hon. Malcolm Cameron, than whom Canada has not produced a nobler, a purer or better son, used to tell a quaint story of my detractors, and their name is legion. I will give it in his own words, as near as I can: "A few weeks ago in the round room of the Russell, I sat beside two men in earnest conversation. One was a stranger. I could discern that the conversation was about you, and listened. My vis a vis was drawing a vocal sketch of your biography. After a while I dipped in my paddle and said: 'Mr. Smith, I couldn't but overhear your conversation. Will you tell me something that O'Hanly has said or done, which a respectable citizen oughtn't to say or do?' He scratched his head, looked wise and pondered. He was evidently nonplussed at my query. At length he said: 'He applied to the late John Egan for a situation:—and that is his great crime, eh— Mr. Smith, you ought to be ashamed of yourself, deliberately robbing an innocent man of his character and bearing false witness against your neighbor. I have heard others talk like you. I put the same question to them, and their answers have been just as puerile, just as frivolous as yours. O'Hanly's great crime is, and you know it, and his other Tory defamers know it too—he is a staunch Liberal, an uncompromising Radical whom Tory gold can't buy. He can't be had, and the

Tories in chorus shout 'mad dog,' 'sour grapes.' But if he joined the Tory fold he would be the white-headed boy, like McGee, whom they abused so unmercifully, but soon as he joined them, they not only absolved his sins, but canonized him, and is today one of the great saints in the Tory calendar, after whom they name their sons. So would it be with O'Hanly."

Those Statues.

If Canada is to rear monuments in commemoration of the virtues of her illustrious dead, then should Malcolm Cameron's be in the front rank. His humanity was boundless as space, constant as the seasons, tireless as the tide. In every attribute which adorns a human being and elevates him above the brute creation, he was as superior to either Cartier or Macdonald as is the arc lamp in our streets superior in brilliancy and illuminating power to the rude dip of a barbarous community.

True enough, an immigrant boy, I applied to Mr. Egan for employment, and as was his wont, he treated me with great kindness. Indeed, he talked to me more like a father than a stranger, giving me fully an hour's audience and advice.

Am I the only Liberal whom the Tory press, Tory spouters and Tory heelers have abused? Assuredly not. My traducers have had the happy knack of two strings to their bow. In the Catholic Tory camp, I have been represented as a "free thinker," and "a disciple of George Brown and The Globe, the enemy of our race and the reviler of our holy religion." In the Orange Tory wigwam, on the opposite side of the street, I have been pictured as a bigot and a fanatic, who would glory in leading heretics by a halter up to the pyre for sacrifices, and smack his lips with gruesome glee while applying a match to the fagot. Well, I have always tried to do my own thinking, such as it is. For the cure of souls, I have no mission; it never costs me a thought. I am as indifferent about the religion of my neighbor as is a team's offsteed about the night one's creed. For the

very good reason that it is none of my business. No child of mine ever heard me make an invidious distinction because of religion. I try to judge every individual by his deeds, and if I have no data I suspend judgment.

This narrative is strictly in keeping with the nefarious conduct of my traducers. In vain have I challenged them to lay finger on one word or deed of mine which would raise a blush on the brow of any respectable man. Onerous the task could not be if my calumniators speak truly, seeing that I have continuously resided in this town for nearly 45 years. Cheerfully would they respond, nor would they wait an invitation, could they but locate even one burnt hole in my coat. How many of the vile brood durst call for a like scrutiny? Marvel not if the fierce fusilade have left some scars, some black marks. "Where much mud is thrown some is sure to stick."

What a Half Century Brought Forth.

Much has been accomplished in my time, but much still remains undone. (1) Thanks to the brave friends of reform, the franchise has received a wide extension. (2) Simultaneous polling and one day voting have superseded the bad old system. (3) Money bags had to stand aside and rich and poor are now eligible for the legislature.

The Ballot.

I have been in the van of the battle for the ballot, when it was treason to espouse it and political death to defend, "A practice un-British and unmanly, a spawn of Yankeedom." With bared head I knelt at the cradle of the newly born Message. This much have I seen accomplished in the cause of popular liberty, adding my mite by voice, by pen, by example. But it is only a beginning in the great field of reform. The representation of the people is still in a most unsatisfactory condition. Indeed, representation today is little better than a farce, a pantomime to amuse adolescent children. A free people should be exceedingly jealous of any encroachments, open or covert, on their

liberties, and so guard their rights as not to be at the whim or mercy of any human being. Nothing should be left to chance or the caprice of individuals, however well intentioned they may be. "Eternal vigilance the price of liberty," hackneyed phrase though it has come to be, 's withal true. The foundation, the very cornerstone of popular liberty consist—in a true representation of the will of the people. There are many ways in our institutions by which the popular will may not only be set at naught, but defied with impunity by the government of the day. The great aim of Liberal statesmanship should be to perfect the channels of representation, and hedge it round with a stockade of adamant which no steel can pierce or no eagle scale. The following are a few of what to me seem grave defects in our representative institutions calling for immediate redress :

1.—Date of elections fixed. The date of a general election should be fixed and stable as the equinoxes. Never will representation be free while a government can without note or warning dissolve the legislature to suit its own exigencies and promote party advantage by a snap verdict. Surely the inside track ought to satisfy even the most rabid partisan. If, under "responsible government," dissolution be sometimes unavoidable, then let it be for the current term of the unexpired parliament. But the difficulty appears to me a mere bogie, a "scare crow" to frighten the unreflecting. In a retrospect of 51 years, there have been 14 dissolutions. Of these, three only by fluxion of time, and two by change of government, the Macdonald-Dorion of 1863, and the MacKenzie-Dorion of 1874, the remaining nine for party vantage. The additional cost of a general election may be pleaded as a justification of the present system. Should this false economy obtain a hearing and stand in the way, it would be much better to saddle each constituency with the cost of its election, after the fashion of municipal elections, with the date fixed.

2.—Meeting of Legislature fixed. The time for the meeting of parliament should be fixed and inviolate as a decree of fate. This should, of course, be the time of the year most convenient for the transaction of public business. It should not be later than the last Tuesday of November or the first in December. Then navigation is closed, and with it the active season, especially for outdoor pursuits. The pretence for changing the fiscal year from the end of December to June was to facilitate the early assembling of parliament. Governments are proverbially eager for short sessions. A short session relieves them of much embarrassment, of criticism and censorship. Better still, no session at all. If memory serves, thus has it been tersely put from the opposition benches. Then, if the government desired a short session, let its programme be ready cut and dry. The practice has hitherto been to waste the first half of the session in idleness and frivolity, and the remaining half in a Bacchanalian rush, with legislation so crude as to be a disgrace to the statute book. There is thus seen an obvious motive. The ease and comfort of the government in deferring the meeting of the legislature to the most inconvenient time, which is about the ides of March, when the cuckoo's joyous note strikes the gladdened ear. Of course this need not interfere with the calling of an extraordinary session whenever public exigencies demand such.

3.—Vacancies promptly filled. The legislature should always be kept up to its full quota of members. No vacancy, whether from death, resignation or disqualification, should be permitted to exceed one month. These vacancies often remain unfilled for months, if not years, in the elective branch, to manipulate the constituency by tempting it with bribes, and in the nominative to squeeze the best bargain out of the aspiring Senators. These are very reprehensible practices, and governments should be spared the opportunity of utilizing them if the people desire honest representation. In the elective branch, the writ for the new election should be issued by the

proper official uncontrolled by the government within a week of the vacancy occurring. It is hard to realize why so much red-tapeism surrounds a proceeding so simple. One would think that such duties properly belong to the clerk of the House.

In the nominative branch a vacancy should not be permitted to exceed one month.

Returning Officers.

To advance the cause of purity of elections, the electorate of each constituency should choose its own Returning Officer. The appointment is a most perilous thing to trust any government with. The electorate in their choice should be as free and untrammelled of government influence as it is possible to make them. When the present bad system of appointing all returning officers by the Dominion government was passing through the crucible amid hot shot from the fearless opposition, there was some slight force in Sir John Macdonald's justification of withdrawing the privilege from sheriffs and other appointees and partisans of a local administration who, as he said, may be hostile to the Dominion government. But he went to the other extreme. It was like flying from Scylla to Charybdis. There was a middle, moderate, non-partisan course that he could have taken—to leave the constituency itself to choose its returning officer; and it would have the happy merit that none could predict in advance on whom the lot may fall, whether Grit or Tory. Let the mayors of cities and towns, and the wardens of counties be ex officio returning officers. For example, the mayor for Ottawa, the mayor for Brockville, the warden for Frontenac. In cities like Toronto, sub-divided into two or more electoral divisions, let the mayor be ex officio returning officer for division No. 1, the chairman of the Finance committee for No. 2, the chairman of the Board of Works for No. 3, the chairman of the Water committee for No. 4, and so on. In counties, like Renfrew, divided into two ridings, the warden of the county for the south, and the mayor of Pembroke for the north riding. In "United Counties," like Stormont, Dundas and Glengarry,

the warden for Dundas, the mayor of Cornwall for Stormont, and he of Alexandria for Glengarry. In counties, like Carleton, partly in several electoral districts, the warden for the electoral district of Carleton, the reeve of the senior township (Gloucester) for the electoral district of Russell, and the warden of Lanark for the electoral district of North Lanark, and the mayor of Perth for the south riding. The pervading and permeating influence of the returning officer on the result of an election is scarcely credible. What I have said here has, since it was written, been emphasized by the recent unpleasant revelations in West Elgin.

My Experience.

I have once, by the grace of the late Hon. J. Sandfield Macdonald, been returning officer for this town. Never was election in this or any other country more honestly conducted. If ever a candidate was believed to be invincible in a constituency, that was the status of the opposition candidate. At dissolution a person suggesting opposition to the ex-member would be looked upon as a fit subject for an insane asylum. Yet, in a small constituency he was so badly licked that he scarcely knew whether he stood on head or heels. I wanted an honest election and let the best horse win. I knew that hitherto such a thing was a rare avis.

My duty consisted in thwarting and checkmating frauds of long standing, and did it so effectually that they hardly knew what happened them. Had the former returning officer been selected, the election would assuredly have gone by acclamation. That was the effect of appointing one special returning officer. Multiply it by 213, and you may realize the extent and peril of the power which the government wields in the appointment of returning officers.

Bribery at Elections.

Is it not high time that the government set about checking, if not wholly preventing, the demoralizing effect of bribery at elections. Tell me not that it cannot be stopped. The "horse marines" may believe that yarn. The government can, if it desire to, and gc

the right way about it, effectually stop it "as easy as rolling off a log." I will diagnose it and give you the prescription, and if you follow the directions the malady will be rapidly and efficaciously checked and the patient soon on his pins again. (a) Prohibit, under pain of disqualification for the life of that parliament, soliciting votes

by candidate or authorized agent, either by house to house canvass, casual meeting or public assembly. (b) Let the only modes of communication between candidate and electorate be printed address through the post office or other channels of distribution, and by speech from public platform. (c) Make it a penal offence of at least one year's imprisonment and perpetual disqualification and loss of franchise for him who offers and for him who accepts a bribe; and let the offence comprise a minister or candidate who directly or indirectly attempts to bribe a whole constituency by holding forth a temptation of reward or favor for electing a supporter of the government, and disfranchise the constituency for the term of at least the four ensuing parliaments. (d) Any member convicted of having accepted a "saw-off" penitentiary for two years; and any member or other elector proposing a "saw-on" penitentiary for one year, together with perpetual disqualification and deprivation of franchise in both cases. These penalties may sound drastic, but "desperate diseases demand powerful medicines." They will be effectual, I promise. Once known to be on the statute book these offences will be given a wide berth. With the peril so imminent none will be foolhardy enough to court certain disaster. Try it. Here again my contention is strengthened by what has been brought to light in certain election trials.

Senate Reform.

In the great Reform convention of 1867 I entered a vigorous protest against the mode of selecting the Senate, particularly the "life" phase. I was subsequently informed my remarks were far from palatable to the politicians, but I had the grim satisfaction of having been endorsed and lustily applauded by the rank and file. Every sentence struck a responsive chord.

Any reform of the Senate to be permanent or satisfactory must eliminate the life term. Life legislators are not in harmony with this age, and they will be still less so in the near future. John Stuart Mill says that half-measures never give satisfaction, and universal experience seems to bear him out. Six years seem long enough, but ten should be the max. With a time limit of service fixed, it strikes me that a compromise might be struck between the advocates of Dominion control and provincial. Let one-half of the Senators for each province be chosen by the local government and the other moiety by the Dominion government.

Should the local government fail or neglect to fill a vacancy occurring in its half within one month, the appointing power shall be transferred to the federal government. On the contrary, should the federal government fail or neglect to fill any vacancy occurring in its moiety within a month, the appointing power shall be vested in the local government in whose province the vacancy exists. Should both governments fail or neglect to fill the vacancy within two months after its occurring, the appointing power shall absolutely lapse, and the number of Senators for such province shall be permanently reduced.

Had this practice prevailed during the last 27 years, half of Ontario's Senators today would be of the Liberal profession.

Nor would the difference in any of the other provinces be very striking or serious. Perhaps however, that it is well. The one-handed character is so conspicuous and impressive that none can fail to realize it.

The Catholics.

The Catholic minority, in the several provinces, would—or should offer a firm opposition to the purely elective mode of choosing unless guaranteed a share of the representation proportional to their numbers in each province. In Upper Canada, antecedent to Confederation, the Catholics had not a single representative among the elective legislative councillors. Ontario entered confederation without one Catholic senator, while Quebec had seven Protestant senators.

It is not improbable that under an elective system, they would be no better off today. The result is, perhaps, more the effect of relative wealth than innate bigotry. Under the nominative system the Ontario minority has not only been justly but generously treated. If the Catholics claimed their "pound of flesh," all they could ask would be four, they have been given six.

The Catholics of the Maritime Provinces are not likely to forget the lesson taught them at Confederation. They had any amount of promises but nothing in "black on white," where only it availed them—the statute book. So when their school difficulties had arisen, they discovered that they had been left, and that "promises like pie-crusts, are made to be broken." In any rearrangement of the Senate, it is hardly likely that the minority will, on the principle of a burned child, dreads the fire," forget the lesson taught or the precedent set in providing protection for the Irish minority, in the event of "Home Rule," becoming law. The Senate should choose its own president. Whatever curtails patronage broadens liberty.

The Departments.

Then the departments of the public service, badly need overhauling. For corruption and incapacity there is nothing in the world's recent annals comparable to the construction departments, (railways and canals and public works) of this government. Going back no farther than confederation, it may confidently be affirmed, that not less than 60 million dollars, have been squandered on construction, over and above the value, for which there is not a dollar's worth of return, and which might, for public benefit, as well have been thrown into the St. Lawrence. Think on it. Sixty millions would build and equip three thousand miles of railroad, from Ottawa to Daw-

son (Klondike.) Indeed every department in the public service needs rejuvenation, complete shaking up from the bottom. It is gratifying to be able to bear testimony that two of the departments, the justice and post office, are awake to the claims of reform. The postmaster general is making laudable efforts to put his department on a sound basis. Mr. Mulock deserves the thanks of every Liberal for the bold, manly and courageous stand he has taken in grappling with this vexed and delicate question; and he will have his reward in the esteem of all true Liberals. As for Mr. Mills, he is instinctively a Reformer. To be aught but a Reformer he would have to be born anew. But unluckily the field for reform in these departments is very restricted. The construction departments are those in which great reforms could profitably and efficiently be introduced. I doubt not that, without stinting or cheese-paring, Mr. Mulock at the head of the construction departments would in a few years save the tax-payers twenty millions. That is a prize well worth trying for. I know whereof I speak.

I must cry halt. Enough for one session's programme, has already however, imperfectly, been sketched, "Sufficient for the day is the evil thereof." The government, it is to be hoped, will not let the golden opportunity slip. Liberals are prone to judge their stewards by their deeds. When the day of reckoning, and it is not far off, comes, there will be little mercy for the servant who buried his talent in the ground, and still less for him who squandered his in idleness, riot and frivolity.

Of all human affairs government is the most serious.

J. L. P. O'HANLY.

Ottawa, March, 1899.

